

HOUSE BILL ANALYSIS

SB 5443

Title: An act relating to waiver of administrative alcohol or drug-related hearing fees due to indigency.

Brief Description: Providing for waiver of administrative alcohol or drug-related hearing fees due to indigency.

Sponsors: Senators Kline, Rossi, Patterson, Johnson, Hargrove, Brown, Kohl-Welles, Fraser, Costa, Spanel, Winsley and Oke.

Brief Summary of Bill

- Provides an indigency based waiver of a hearing request fee in an administrative suspension or revocation of a driver's license in DUI related cases.

HOUSE COMMITTEE ON JUDICIARY

Staff: Bill Perry (786-7123).

Background:

A person who is arrested for drunk driving (DUI) may have his or her driver's license suspended or revoked administratively by the Department of Licensing (DOL). If the person refuses a request to take a breathalyzer test, he or she will have his or her driver's license revoked for at least one year under the implied consent law. If the person takes the breathalyzer test and registers above the "per se" limit (0.08 for adults, 0.02 for persons under age 21), he or she will have his or her license suspended for at least 90 days under the administrative per se law. In either event, the person is notified by the arresting officer that he or she is entitled to a hearing to contest the suspension or revocation. If the person wishes to exercise this right to a hearing, he or she must pay a fee of \$100 to the DOL.

Summary of Bill:

The DOL is authorized to waive the \$100 fee for requesting a hearing on a DUI related administrative suspension or revocation of a driver's license. The department may waive the fee if it finds that the person requesting the hearing is indigent under the standards that apply to the right to have an appointed counsel.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Office of Program Research